

Message Text

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ACTION EB-07

INFO OCT-01 AF-08 ARA-10 EA-09 EUR-12 NEA-10 ISO-00

CIAE-00 COME-00 DODE-00 DOTE-00 FMC-02 INR-07 NSAE-00

SAL-01 CG-00 DLOS-06 OES-06 L-03 IO-13 PM-04 NSC-05

SP-02 SS-15 PRS-01 PA-02 OIC-02 /126 W

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R 161701Z SEP 76

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 5556

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E.O. 11652:N/A

TAGS: PORG, IMCO, EWWT

SUBJ: IMCO LEGAL COMMITTEE: 31ST MEETING

REF: LONDON 14516

1. SUMMARY: EXCEPT FOR CHINESE DELEGATION'S ATTACK ON THE SOVIET PROPOSAL ON THE REGIME OF VESSELS IN OORTS, 31ST MEETING OF THE IMCO LEGAL COMMITTEE WAS LARGELY UNEVENTFUL AND UNPRODUCTIVE. THE COMMITTEE EXHAUSTED ITS AGENDA IN THREE WORKING DAYS. NEVERTHELESS, THE COMMITTEE WOULD NOT AGREE TO REDUCE THE FREQUENCY OF FUTURE MEETINGS. END SUMMARY.

2. THE MAJOR AGENDA ITEMS WERE A POSSIBLE CONVENTION ON WRECK REMOVAL AND DISCUSSION OF THE PERENNIAL SOVIET PROPOSAL ON THE REGIME OF VESSELS IN FOREIGN PORTS. ON WRECK REMOVAL, ONLY LIBERIA (DR. FRANK WISWALL) GAVE VIGOROUS SUPPORT TO IMMEDIATE INITIATION OF WORK ON A COMPREHENSIVE CONVENTION. MOST OTHER DELS (INTER ALIA JAPAN, FRANCE, POLAND, UK, SWEDEN, GDR, CANADA, ITALY, USSR) SUPPORTED EITHER DELETION OF WRECK REMOVAL OR DEFERRAL UNTIL PERCEIVED JURISDICTIONAL ISSUES CLARIFIED BY RESULTS OF LOS CONFERENCE. FURTHER CONSIDERATION
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OF WRECK REMOVAL ACCORDINGLY DEFERRED UNTIL UNSPECIFIED

FUTURE DATE.

3. THE INITIAL DISCUSSION ON SOVIET PROPOSAL FOR A NEW CONVENTION ON THE REGIME OF VESSELS IN FOREIGN PORTS REPORTED REFTEL. ALTHOUGH SOVIET DEL ORIGINALLY INDICATE INTENTION TO PLACE PORTS PROPOSAL ON 1977 WORK PROGRAM, SOVIETS SUBSEQUENTLY SOFTENED AND AGREED TO DEFER THEIR PROPOSAL UNTIL QUOTE APPROPRIATE TO REVERT TO IT' POSSIBLY DURING THE BIENNIUM 1978-79 END QUOTE.

4. DURING CONSIDERATION OF THE COMMITTEE'S REPORT, CHINESE DELEGATION INSISTED THAT REPORT INCLUDE LANGUAGE EXPRESSLY ATTACKING SOVIETS FOR PUTTING FORWARD THEIR PROPOSAL. SOVIETS RESPONDED BY INSISTING ON A PARAGRAPH ACCUSING CHINESE OF DEMAGOGUERY. POLES AND GDR MADE PLEAS TO AVOID INCLUSION OF POLITICAL STATEMENTS IN IMCO LEGAL COMMITTEE REPORTS. CHAIRMAN MASLOV (USSR) STROVE TO ABPEAR EVEN-HANDED. US AND MOST OTHER DELS REMAINED SILENT. ULTIMATELY, FRENCH DEL ENGINEERED A COMPROMISE UNDER WHICH REPORT REFERRED TO ANOTHER DOCUMENT CONTAINING CHINESE DENUNCIATIONS OF USSR, BUT DID NOT ITSELF CONTAIN LANGUAGE OFFENSIVE TO THE SOVIETS.

5. THE LEGAL COMMITTEE ALSO CONSIDERED FRG PROPOSAL FOR COUNCIL RESOLUTION CALLING ON STATES TO ADHERE TO 1957 BRUSSELS CONVENTION ON STOWAWAYS. IN FRG VIEW, FEW STATES WOULD BECOME PARTY TO THE CONVENTION UNLESS CONVENTION WIDELY ACCEPTED BY OTHER STATES. FRG NOTED THAT PORT STATES ARE OBLIGATED BY THE CONVENTION TO PERMIT ENTRY OF STOWAWAYS WHILE OTHER STATES NOT PARTIES TO THE CONVENTION, ARE NOT OBLIGED TO ACCEPT STOWAWAYS' RETURN. AUSTRALIA, FRANCE, GREECE, LIBERIA, POLAND, UK AND US INDICATED THAT CONVENTION PLACED UNREASONABLE

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BURDENS ON PORT AND FLAG STATES, AND THAT IT WAS NOT DESIRABLE TO PROMOTE ITS WIDESPREAD ADOPTION. THE COMMITTEE ACCORDINGLY DECIDED TO TAKE NO ACTION CONCERNING THE 1957 CONVENTION.

6. REMAINDER OF MEETING TAKEN UP WITH AGENDAS FOR 1977 LEGAL COMMITTEE MEETINGS AND NUMBER OF MEETINGS REQUIRED DURING 1978-9 BIENNIIUM. 1977 MEETINGS TO TAKE PLACE 18-29 APRIL AND 3-14 OCTOBER. US (WITH SUPPORT FROM JAPAN AND CANADA) URGED THAT COMMITTEE REDUCE MEETINGS DURING 1977 FROM FOUR WEEKS TO THREE IN LIGHT OF LIMITED WORK ON THE AGENDA. THE COMMITTEE DECIDED TO PLAN ON FOUR FULL WEEKS DURING 1977, BUT AGREED TO CONSIDER AT APRIL 1977 SESSION WHETHER TWO WEEKS ACTUALLY REQUIRED IN OCTOBER. COMMITTEE ALSO DECIDED TO REQUEST SEVEN MEETING WEEKS AND A LEGAL CONFERENCE IN BUDGET FOR 1978-9 BIENNIIUM DESPITE VIEWS OF US, JAPAN AND SOME OTHERS THAT THIS TIME NOT NECESSARY FOR FORSEEABLE WORK OF THE COMMITTEE. UK DEL SUBSEQUENTLY INDICATED PRIVATELY THAT UK WOULD PROBABLY URGE CUTBACK OF TIME ALLOCATED TO LEGAL COMMITTEE BY COUNCIL.

7. THE COMMITTEE COMPLETED ITS AGENDA TWO DAYS AHEAD
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OF SCHEDULE.

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